

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF MARCH
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

AND

THE HON'BLE MR JUSTICE M.VENKATESWARA REDDY

-

WRIT PETITION No.4035 OF 2006

Between:

The District Treasury Officer,
Mahbubnagar District, and others.

..... PETITIONERS

AND

Smt.K.Thulasamma, Reted. Sweeper,
R/o.1-7-69/4, Monappa Gutta,
Mahabubnagar.

.....RESPONDENT

THE HON'BLE MR JUSTICE

J.CHELAMESWAR

AND

THE HON'BLE MR JUSTICE

-

WRIT PETITION No.4035 OF 2006

O R D E R

(Per Sri Justice J.Chelameswar)

The writ petition is filed with a prayer as follows:

“..... Hon’ble court may be pleased to issue a writ, order or a direction, more particularly one in the nature of writ of certiorari, calling for the records relating to O.A.No.4439 of 2003 dated: 14-12-2004 on the file of A.P. Administrative Tribunal, Hyderabad as being erroneous and illegal and consequently quash the same and pass such further or other orders as deem fit and proper.”

The present writ petition is filed by the unsuccessful respondents in the above-mentioned O.A. The order of the Tribunal is dated 14.12.2004. The writ petition was presented on 21.02.2006 i.e. almost after a lapse of 14 months. The explanation for the delay is contained in para 12 of the affidavit filed in support of the writ petition, which reads as follows:

“12. I submit that the matter was under correspondence from the level of Deputy Director, District Treasury, Mahabubnagar to Government level and various old references/files relating to the years 1981 to 1999 were required to be referred, there is some delay in filing this WP. However, this is only due to administrative reasons and the petitioners pray the Hon’ble High Court to admit the W.P.”

The delay was described as “**some delay**” in the affidavit and that delay is unexplained, except making a bald statement that a number of old references were required to be referred. We do not know what is the purpose for giving such references and the delay, in our view, is fatal.

In the circumstances, we are of the opinion that the writ petition is liable to be dismissed on the ground of laches and the same is accordingly dismissed at the stage of admission itself. There shall be no order as to costs.

JUSTICE J.CHELAMESWAR

JUSTICE M.VENKATESWARA REDDY

13th MARCH, 2006

PGS

THE HON'BLE MR JUSTICE

J.CHELAMESWAR

AND

THE HON'BLE MR JUSTICE

M.VENKATESWARA REDDY

WRIT PETITION No.4035 OF 2006

(Per Sri Justice J.Chelameswar)

13th MARCH, 2006